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Crl.A.No.561 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : **06.03.2024**

CORAM :

THE HONOURABLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.A.No.561 of 2018

L.Prabakaran

... Appellant

Vs.

State represented by,
The Inspector of Police,
Vigilance and Anti-Corruption,
Chennai City-II Detachment,
Chennai.

(Crime No.7/AC/2010/CC-II)

... Respondent

PRAYER : Criminal Appeal filed under Section 374(2) of Criminal Procedure Code, pleaded to set aside the judgment of conviction passed against the appellant by the learned Special Judge and Chief Judicial Magistrate, Thiruvallur in Special Case No.3 of 2012 dated 21.08.2018 and acquit him.

For Appellant : Mr.J.Pavithra
for Mr.M.Jaikumar
For Respondent : Mr.S.Santhosh
Government Advocate (Crl.Side)



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JUDGMENT

The appellant (A2), who was found guilty and convicted by the learned Special Judge and Chief Judicial Magistrate, Thiruvallur for the offences punishable under Section 7 of Prevention of Corruption Act, 1988, r/w 34 IPC & Section 12 of Prevention of Corruption Act, 1988, in Special Case No.3 of 2012 vide judgment dated 21.08.2018, has filed the present Criminal Appeal.

2. The conviction and sentence imposed by the learned Special Judge and Chief Judicial Magistrate, Thiruvallur, against the appellant in Special Case No.3 of 2012 dated 21.08.2018 is as follows:-

<i>Under Section</i>	<i>Sentence</i>
7 of Prevention of Corruption Act, 1988, r/w 34 IPC	three years of rigorous imprisonment and a fine of Rs.5000/-, in default, to undergo six months simple imprisonment.
12 of Prevention of Corruption Act, 1988	two years of rigorous imprisonment and a fine of Rs.5000/-, in default, to undergo three months simple imprisonment.
The sentences shall run concurrently	

3. It is submitted by the learned counsel for the appellant that the



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appellant (A2) herein has passed away on 06.02.2024 and his legal heirs also do not want to pursue the appeal and therefore, he prayed that the appeal may be closed. The learned counsel for the appellant has also filed a Memo to that effect.

4. Recording the submissions made by the learned counsel for the appellant and taking note of the Memo filed by the appellant's counsel, this Criminal Appeal stands closed as abated. The Memo filed by the learned counsel for the appellant shall form part of the records.

06.03.2024

Index : Yes / No
Speaking / Non-speaking
Neutral Citation : Yes / No
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To

1. The Special Judge and Chief Judicial Magistrate,
Thiruvallur.
2. The Inspector of Police,
Vigilance and Anti-Corruption,
Chennai City-II Detachment, Chennai.
3. The Public Prosecutor,
High Court of Madras.



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A.D.JAGADISH CHANDIRA, J.

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